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*Attorney for Plaintiff*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**EUGENE DIVISION**

**NICOLE GILILLAND**, an individual,

Plaintiff,

vs.

**SOUTHWESTERN OREGON  
COMMUNITY COLLEGE DISTRICT BY  
AND THROUGH ITS BOARD OF  
EDUCATION**, an Oregon community college  
District and Board; **SOUTHWESTERN  
OREGON COMMUNITY COLLEGE**, an  
Oregon community college; **PATTY SCOTT**,  
an individual; **TIM DAILY**, an individual;  
**FRANCISCO SALDIVAR**, an individual;  
**SUSAN WALKER**, an individual; **MELISSA  
SPERRY**, an individual and **PAMELA WICK**,  
an individual,

Defendants.

Case No. 6:19-cv-00283-AA

**DECLARATION OF STEPHANIE  
KYELBERG**

I, Stephanie Kyelberg, declare as follows:

1. I have personal knowledge of the facts set forth below, and I am over the age of eighteen.
2. I currently reside near North Bend, Oregon.

1           3. I was enrolled in Southwestern Oregon Community College's ("SWOCC")  
2 nursing program from 2017 through 2019. I graduated in 2019 with a nursing degree from the  
3 school.

4           4. From 2017 to approximately mid-2018, I attended SWOCC's nursing school with  
5 Nicole Gililland. Nicole and I were generally friendly and tried to help each other make it  
6 through the program, especially when the professors were difficult to work with. She and I  
7 would talk often about our experiences at SWOCC.

8           5. I was a non-traditional SWOCC nursing student because I enrolled much later in  
9 life and had already run a successful small business. Most of the nursing students were younger  
10 than I was and seemed less willing to stand up for themselves. I was more willing to assert  
11 myself when I didn't feel SWOCC's faculty was treating me fairly, but that also seemed to bring  
12 more scrutiny from certain faculty members, including Ms. Sperry.

13           6. Ms. Sperry seemed to resent that I was an older, accomplished woman returning  
14 to start a nursing career. During one conversation about one of my care plans, which Ms. Sperry  
15 didn't care for, she *repeatedly* told me that she knew how important the nursing program was to  
16 me because of my age and warned me that my "career was in her hands," so I better just do  
17 whatever she told me to do without question.

18           7. As an illustration, on one occasion when I was participating in my clinical  
19 education at a local hospital early in the second quarter, Ms. Sperry decided that I should have  
20 hung an antibiotic bag in a way that she thought necessary although was not established protocol.  
21 Even though it wasn't a safety concern, Ms. Sperry decided to address the issue by hazing me.  
22 She handed me a new antibiotic solution bag and told me I had to carry it around the hospital for  
23 the rest of the day—while attending to other patients and everything else—as punishment. Ms.

1 Sperry told me that if she caught me without the bag during the rest of the day, she would fail me  
2 and send me home. After that went on for several hours, a kind nurse at the hospital noticed me  
3 carrying the bag and inquired about it. Once I explained the situation, the nurse told me to put the  
4 bag down and told Ms. Sperry that the punishment was “ridiculous.” But this is how Ms. Sperry  
5 routinely treated students under her control.  
6

7 8. The first thing I recall about the events leading up to Nicole leaving SWOCC was  
8 the incident involving Melissa Sperry, in which Ms. Sperry told Nicole to complete one  
9 assignment and then later claimed that Nicole was supposed to have completed a different  
10 assignment. Ms. Sperry had given Nicole a zero on the assignment even though the emails  
11 clearly showed that Ms. Sperry had misdirected Nicole about which assignment she was  
12 supposed to have completed.  
13

14 9. Nicole showed me the relevant emails between her and Ms. Sperry on that  
15 subject, and based on my own it experiences with Ms. Sperry, it seemed to me that Ms. Sperry  
16 was targeting Nicole for punishment. I had had my own similar experiences with Ms. Sperry, so  
17 I could recognize the pattern.  
18

19 10. Even when I tried to do the things that Ms. Sperry demanded of me, it seemed like  
20 I could never do enough to please her. For example, I would make the changes to my care plans  
21 as she instructed, but she would then find other problems with them.  
22

23 11. Ms. Sperry made it clear that she could manipulate SWOCC’s processes to end a  
24 student’s career whenever she chose. She would say things like: “One word from me, and this is  
25 over,” in reference to me continuing in the nursing program. Ms. Sperry made it clear to me that  
26 easiest way to end a nursing student’s career was for an instructor to accuse a student of being  
27 unsafe with patients, whether true or not.  
28

1           12. In the minds of many students—at least for me—SWOCC’s nursing program  
2 under Ms. Sperry feels like an educational life-or-death situation, with any small problem  
3 capable of ending your career. Ms. Sperry fostered that environment.

4           13. I recall that about a week after Ms. Sperry had given Nicole a zero for the missed  
5 assignment from her misdirection, during a break in a class, Nicole called me back to where she  
6 was sitting to look at her computer. She showed me how the school’s website showed her failing  
7 all of her classes. She was very upset. I was shocked. This was a very difficult for time for  
8 everyone, and we were all under a tremendous amount of stress.

9           14. Nicole confided in me at that time that she thought she was being targeted  
10 because someone at SWOCC had found out about her past, although she didn’t share any details  
11 with me about her past at that time.

12           15. I don’t recall exactly when, but at some point around this time, Nicole also told  
13 me about the conversation she’d had with Ms. Sperry in which Ms. Sperry told Nicole something  
14 like only classy women can be nurses and she wasn’t classy enough—or something along those  
15 lines.

16           16. Nicole asked me to speak to SWOCC officials about the plagiarism issues, and I  
17 would have been willing to do so, but no one from SWOCC ever contacted me or interviewed  
18 me about Nicole’s situation regarding plagiarism.

19           17. From my vantage, Nicole acted appropriately in response to the events that  
20 transpired starting in late April 2018. Nicole was not emotionally unstable, nor were her  
21 reactions out of proportion with what was happening. Nicole’s entire nursing career was in  
22 jeopardy as a result of the events, and Nicole was trying to remedy the situation. It wasn’t until  
23 after everything was taken from her by SWOCC that she seemed to have unhealthy emotional  
24

1 reactions.

2 18. It was my understanding that Susan Walker felt compelled to defend Ms. Sperry's  
3 actions regarding Nicole because Ms. Sperry was nearing retirement and Ms. Walker didn't want  
4 to have her end her career with a scandal.

5 19. I am tough, strong woman; I've owned a business for years; and I've traveled all  
6 over the world. I am educated and when people do things that are wrong, I stand up for myself.  
7 For most of my life, I've felt like I was in control of my own destiny—that if I made the right  
8 decisions and worked hard, I could shape my own future.

9 20. One of the few times in my life that I've been in a situation where I've felt like  
10 my future was hanging in the balance and that I had no control, despite making good choices and  
11 working hard, was when Ms. Sperry—who I believe acted like a psychopath—had control over  
12 it. I was forced to play along, to acquiesce, and to pretend like she was the smartest person I've  
13 ever known just to avoid her retaliation. I don't intend to make light of Post-Traumatic Stress  
14 Disorder, but I feel at times like I have suffered from PTSD as a result of my interactions with  
15 Ms. Sperry.  
16  
17  
18

19 I declare under penalty of perjury that the foregoing is true and correct.

20 Executed June 30, 2021.  
21  
22

23 /s/ Stephanie Kyelberg (email permission 6.30.2021)  
24 Stephanie Kyelberg  
25  
26  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day of July 2021, I caused to be filed a true and correct copy of the foregoing **DECLARATION OF STEPHANIE KYELBERG** with the Court's ECF system, which sent notice of such filing to counsel of record for all parties.

DATED: July 2, 2021.

/s/ Brandon J. Mark